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10 **BEFORE THE**
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. *2013-561*

13 **LORITA KAYE AYALA**
14 **6720 Monaco Street**
Commerce City, CO 80022

A C C U S A T I O N

15 **11461 N Pine Drive**
16 **Parker, CO 80138**

17 **Registered Nurse License No. 615749**

18 Respondent.

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20 Complainant alleges:

21 **PARTIES**

22 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her
23 official capacity as the Executive Officer of the Board of Registered Nursing, Department of
24 Consumer Affairs.

25 2. On or about March 20, 2003, the Board of Registered Nursing issued Registered
26 Nurse License Number 615749 to Lorita Kaye Ayala (Respondent). The Registered Nurse
27 License was in full force and effect at all times relevant to the charges brought herein and will
28 expire on March 31, 2013, unless renewed.

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“(b) Any device that bears the statement: ‘Caution: federal law restricts this device to sale by or on the order of a _____,’ ‘Rx only,’ or words of similar import . . .

“(c) Any other drug or device that by federal or state law can be lawfully dispensed only on prescription or furnished pursuant to Section 4006.”

9. Lorazepam, also known as Ativan, is a benzodiazepine drug used for the treatment of anxiety. It is a Schedule IV controlled substance pursuant to Health and Safety Code section 11057(d)(16), and a dangerous drug within the meaning of Code section 4022.

10. Hydromorphone, also referred to as Dilaudid, is an opioid analgesic use to help relieve moderate to severe pain. It is a Schedule II controlled substance pursuant to Health and Safety Code section 11055(b)(1)(J), and a dangerous drug within the meaning of Code section 4022.

11. Haloperidol, referred to as Haldol, is used to treat schizophrenia, acute psychotic states and delirium. It is a dangerous drug within the meaning of Code section 4022.

COST RECOVERY

12. Section 125.3 of the Code provides, in pertinent part, that the Board may request the administrative law judge to direct a licentiate found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case, with failure of the licentiate to comply subjecting the license to not being renewed or reinstated. If a case settles, recovery of investigation and enforcement costs may be included in a stipulated settlement.

CAUSE FOR DISCIPLINE

(Unprofessional Conduct - Out of State Discipline)
(Bus. & Prof. Section 2761, subd. (a)(4))

13. Respondent is subject to disciplinary action under Code section 2761, subdivision (a)(4), for disciplinary action against her nursing license by another state as follows:

14. On or about July 26, 2006, in a disciplinary action before the State of Colorado, State Board of Nursing (Colorado Board), in that Board's Case Number 2006-004194, the Colorado Board directed that a Letter of Admonition be issued against Respondent's license to practice

1 nursing in Colorado. The Letter of Admonition arose from the discovery of Respondent's
2 backpack containing numerous drugs including Haldol, Dilaudid and Ativan, in capped and
3 uncapped containers, at the Emergency Department Lounge of The Medical Center of Aurora
4 where Respondent was employed as a professional nurse.

5 PRAYER

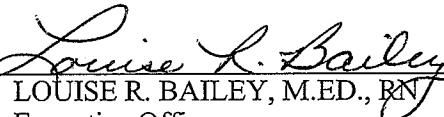
6 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
7 and that following the hearing, the Board of Registered Nursing issue a decision:

8 1. Revoking or suspending Registered Nurse License Number 615749, issued to Lorita
9 Kaye Ayala;

10 2. Ordering Lorita Kaye Ayala to pay the Board of Registered Nursing the reasonable
11 costs of the investigation and enforcement of this case, pursuant to Business and Professions
12 Code section 125.3;

13 3. Taking such other and further action as deemed necessary and proper.
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15 DATED: JANUARY 18, 2013


16 LOUISE R. BAILEY, M.ED., RN
17 Executive Officer
18 Board of Registered Nursing
19 Department of Consumer Affairs
20 State of California
21 Complainant

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